

## REMARKS

Reconsideration is respectfully requested.

Claims 28-36 have been withdrawn pending resolution of the attached Petition. New claims 37-45 have been added under protest pending resolution of the associated petition.

### Notice of Non-Compliant Amendment

Applicants respectfully request Examination of pending claims 28-36, and submit that the Examiner's Notice of Non-Compliance is without basis.

Both originally examined claim 1 and pending claim 28 were directed to a "method of screening for protozymes." The issue at hand is whether the claim term "high-energy state rotamers" was within the scope of the originally examined claims. The claim term "high-energy state rotamers" was in originally filed claim 5. Originally filed claim 5 specifically recites "[a] method according to claim 1 wherein said insertion step comprises the use of at least one high energy state rotamer." (Emphasis added.) Applicants incorporated the limitation of claim 5 into claim 28 in reciting a step of "inserting an active site domain into said scaffold comprising the use of one or more high energy state rotamers." (Emphasis added.) The term "high energy state rotamers" was thus incorporated directly into the independent claim from originally pending claim 5. Claim 28 is directed to originally examined subject matter.

In response to the Notice of Non-compliant amendment, Applicants respectfully request that the claim 28 is reinstated and examined. Should the Examiner still determine that claim 28 is not within the scope of the originally filed claims, Applicants file new claims 37-45 under protest pending resolution of the attached Petition. New claims 37-45 are identical to the claims originally examined (as filed in the Response to the Restriction requirement filed March 11, 2004), except they incorporate the limitation from then-pending original claim 5 *verbatim* into independent claim 37. As such, the claim is clearly within the scope of the first examined claims.

### **Response to Arguments**

Applicants respectfully submit that the arguments in the response dated February 1, 2006 apply to the pending claims. As such, the present response is fully responsive to the Examiner's office action of August 1, 2005.

### **Conclusion**

Applicants submit that the present application is in condition for allowance. Early notification thereof is respectfully requested. If a telephone conference would expedite prosecution of the present application, Application invite the Examiner to direct further questions in connection with this Application to the undersigned at (415) 781-1989.

Dated: Sept. 18, 2006

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Respectfully submitted,

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